

IN THE CLAIMS

Please amend the following claims which are pending in the present application:

1-29. (Canceled)

30. (Currently amended) A method, comprising:

depositing a fiducial into a target region of a patient, wherein the fiducial comprises a body portion and an anchor member coupled to the body portion, the body portion having a housing, the anchor member drawn into the housing in an unanchored position;

anchoring the fiducial into the target region of the patient, wherein the anchor member is withdrawn from the housing in an anchored position, wherein anchoring comprises penetrating tissue near the target region with the anchor member;

detecting the fiducial using electromagnetic radiation to locate the target region of the patient; and

performing stereotaxic radiosurgery on the target region of the patient according to the detected fiducial and the location of the target region.

31. (Previously presented) The method of claim 30, further comprising tracking the target region during the stereotaxic radiosurgery.
32. (Previously presented) The method of claim 30, further comprising applying radiation treatment to the target region.
33. (Previously presented) The method of claim 30, further comprising anchoring the fiducial in the target region to prevent migration of the fiducial relative to the target region.
34. (Previously presented) The method of claim 30, wherein detecting the fiducial comprises viewing the fiducial using an x-ray imager, wherein the fiducial comprises a radiopaque material.
35. (Previously presented) The method of claim 30, wherein detecting the fiducial comprises viewing the fiducial using an ultrasonic imager, wherein the fiducial comprises an ultrasonic opaque material.
36. (Currently amended) A fiducial apparatus, comprising:
a body portion having a housing, the body portion comprising a material visible using electromagnetic radiation; and

an anchor member coupled to the body portion, the anchor member having an unanchored position and an anchored position, the anchor member drawn into the housing in the unanchored position and withdrawn from the housing in the anchored position to penetrate tissue at a treatment region.

37. (Previously presented) The apparatus of claim 36, further comprising an elastic member coupled to the anchor member and the body portion, the elastic member to urge the anchor member from the unanchored position to the anchored position.

38. (Previously presented) The apparatus of claim 37, wherein the elastic member comprises a spring coupled between the anchor member and the body portion to urge the anchor member to withdraw from the housing.

39. (Previously presented) The apparatus of claim 37, wherein the anchor member comprises a pyramidal spike to embed into a target region.

40. (Previously presented) The apparatus of claim 37, wherein the anchor member comprises an elongated rectangular shaped member.

41. (Previously presented) The apparatus of claim 40, wherein the elongated rectangular shaped member comprises a first end and a second end, the elastic member coupled to the elongated rectangular shaped member at the first end to urge the second end away from the body portion.
42. (Previously presented) The apparatus of claim 36, wherein the body portion comprises a memory metal member that bends in response to a presence or an absence of an appropriate signal.
43. (Previously presented) The apparatus of claim 42, wherein the appropriate signal comprises an electromagnetic signal or an ambient temperature.
44. (Previously presented) The apparatus of claim 36, wherein the material comprises an ultrasonic opaque material visible using an ultrasonic imager.
45. (Previously presented) The apparatus of claim 36, wherein the material comprises a radiopaque material visible using an x-ray imager.
46. (Currently amended) A method, comprising:
- inserting an insertion needle into a tissue target region of a patient, the insertion needle containing a fiducial in an unanchored position, the fiducial

comprising a body portion and an anchor member coupled to the body portion, the body portion having a housing, the anchor member drawn into the housing in the unanchored position;

displacing a portion of the tissue target region; ~~and~~

depositing the fiducial into the tissue target region; and

~~, the anchor member withdrawing from the housing and embedding~~

in penetrating [[the]] tissue with the anchor member at the tissue target region by withdrawing the anchor member from the housing in response to the fiducial exiting the insertion needle.

47. (Previously presented) The method of claim 46, further comprising moving the anchor member from the unanchored position to an anchored position withdrawn from the housing.

48. (Previously presented) The method of claim 46, further comprising using an ultrasonic imager to view the deposited fiducial.

49. (Previously presented) The method of claim 46, further comprising using an x-ray imager to view the deposited fiducial.

50. (Previously presented) The method of claim 46, further comprising applying an electromagnetic signal to the fiducial to maintain the fiducial in the unanchored position during insertion into the tissue target region, wherein the fiducial comprises a memory metal member that bends in response to a presence or an absence of the electromagnetic signal.

51. (Previously presented) The method of claim 46, wherein the tissue target region comprises a tumor.

52. (Currently amended) A fiducial apparatus, comprising:

~~means for coupling an anchor member to a body portion, the body portion having a housing, the anchor member drawn into the housing in an unanchored position;~~

~~means for displacing a portion of a tissue target region, the means for displacing comprising a body portion having a housing; and~~

~~means for embedding penetrating the anchor member tissue at [[in]] the tissue target region, the means for penetrating being drawn into the housing in an unanchored position and withdrawn from the housing in an anchored position.~~

53. (Currently amended) The apparatus of claim 52, means for urging the anchor member from the unanchored position to ~~[[an]]~~ the anchored position.

54. (Previously presented) The apparatus of claim 52, further comprising means for viewing the fiducial within the tissue target region using an ultrasonic imager.

55. (Previously presented) The apparatus of claim 52, further comprising means for viewing the fiducial within the tissue target region using an x-ray imager.

56. (Previously presented) The apparatus of claim 52, wherein the tissue target region comprises a tumor.

57. (Currently amended) A fiducial apparatus, comprising:
an elastic body portion having an unanchored position and an anchored position, the elastic body portion expandable to receive a material in an internal cavity in the anchored position, the material visible using electromagnetic radiation, the elastic body portion to penetrate tissue in the anchored position.

58. (Canceled)

59. (Previously presented) The apparatus of claim 57, wherein the material comprises a radiopaque fluid or an ultrasonic opaque fluid.

60. (Previously presented) The apparatus of claim 57, wherein the material comprises a radiopaque non-fluid substance or an ultrasonic opaque non-fluid substance.

61-65. (Canceled)

66. (New) A fiducial apparatus, comprising:

a body portion having a housing, the body portion comprising a material visible using electromagnetic radiation, the housing comprising a trench in the body portion;

an elastic member in the housing and coupled to the body portion; and

an anchor member coupled to the elastic member, the anchor member having an unanchored position and an anchored position, the anchor member drawn into the housing in the unanchored position and at least a portion of the anchor member released from the housing in the anchored position to penetrate tissue at a treatment region, the elastic member urging the anchor member away from the body portion in the anchored position.